

Meeting of the
CALIFORNIA STATE PARK and RECREATION COMMISSION
Tahoe City Public Utility District Boardroom
221 Fairway Drive
Tahoe City, California

Minutes of the Meeting - Saturday, April 5, 2003

COMMISSIONERS PRESENT

Joseph Cotchett
Raquelle de la Rocha
Caryl Hart, Chair
Bobby Shriver
Paul Junger Witt

COMMISSIONERS ABSENT

Clint Eastwood

STAFF PRESENT

Gudrun Baxter, Project Manager, Donner Memorial State Park General Plan
Bill Berry, Deputy Director, Park Operations
Ron Brean, Chief, Central Division
Ruth Coleman, Acting Director
Dave Keck, Manager, General Planning Unit
John Knott, District Superintendent, Sierra District
Tim La Franchi, Chief Council
Louis Nastro, Assistant to the State Park and Recreation Commission
Ray Patton, Superintendent, Gold Mines Sector
Erin Saberi, Assistant Director
Roy Stearns, Deputy Director, Communications

VISITORS REGISTERED/REPRESENTING

David Antonucci/Individual
Bill Briner/Individual
Susanne Buswell/Individual
Pat Davison/California Association of Business, Property & Resource Owners
Cindy Gustafson/Tahoe City Public Utility District
Bob Lourey/Tahoe City Public Utility District
Ron Treabess/Tahoe City Public Utility District, Sierra State Park Foundation Board
Heath Wakelee/Sierra Foothills Audubon Society
Matt Z'berg/Individual

CALL TO ORDER

Legal notice having been given, the California State Park and Recreation Commission meeting was called to order at 9:30 a.m. by Chair Caryl Hart. Chair Hart introduced each of the commissioners

present. She also introduced Acting Director Ruth Coleman, Deputy Director of Park Operations Bill Berry, and State Parks Sierra District Superintendent John Knott.

APPROVAL OF MINUTES OF THE FEBRUARY 21, 2003 MEETING IN NEWPORT BEACH

Chair Hart asked if there were any changes to the minutes of the February 21, 2003 meeting in Newport Beach. There being no changes, Chair Hart asked for the motion to approve the minutes. Motion Commissioner Witt, second Commissioner Cotchett. The commissioners voted unanimously to approve the minutes.

DIRECTOR'S REPORT

Chair Hart called on Acting Director Ruth Coleman to present the Director's Report.

Budget – Acting Director Coleman reported that the State Parks is facing a \$35 million cut in its operating budget for the forthcoming budget year. \$20 million of that will be offset by fee increases. This includes a \$15 million cut to operations – about a 10 percent reduction. A reorganization plan is being created to reduce costs without closing parks. State Parks plans to realize savings by reducing the current 23 districts to 18, thereby reducing administrative and lease costs through the consolidation of functions. Some personnel will be displaced, but DPR does not anticipate any layoffs or demotions. Superintendents may find themselves responsible for much larger areas. The budget is still not completed in the legislature.

Cornfield and Taylor Yard Properties – State Parks is very much engaged in the development of a general plan for the Cornfield property. General plan meetings have been held to involve members of the community in the design of this new park for downtown Los Angeles. The Department of Toxic Substances Control has notified State Parks that the site is now completely clean and remediated to State Park standards. State Parks plans to soon open a public use area, to include a large grassy area suitable for all kinds of recreation and community purposes and a multi-use plaza. Construction should begin this fall. The general plan could be available sometime next year. At the nearby Taylor Yard property, State Parks is working with the City of Los Angeles to arrange for a portion of the Taylor Yard property to be transferred to the city for development of local recreation uses.

Anza Borrego Desert State Park – State Parks recently completed the rescue of 29 feral horses living in the Anza Borrego Desert State Park. These horses had been feral for approximately 30 or 40 years and they were in very poor condition; they were in danger of starvation and susceptible to disease. A veterinary team from the University of California, Davis advised State Parks that these horses would probably not survive the summer. The horses were herded by helicopter into a corral and then transported to wild horse sanctuaries in Nevada and South Dakota.

Malibu Pier – State Parks has selected a new partner for the operation of businesses on the restored pier. The Malibu Pier Partners, formed by the long-time owner of a nearby surf shop, will have a sport fishing shop, cafés, watercraft rentals, and an upscale restaurant. The 780-foot pier has undergone a major renovation through the efforts of both State Parks and Los Angeles County.

Will Rogers State Historic Park – Judy Rogers, daughter-in-law of the late Will Rogers, recently donated two horses to the park. Bringing horses back to the park will bring the park to life. Though the private horse-boarding operations were removed, State Parks believes that horses are an integral part of this park. Options are currently being explored that will provide the public with horse activities. The \$5.3 million renovation of the park's ranch house is proceeding on schedule.

Hearst Castle Tours – A full program of tours is being restored at Hearst Castle, in contrast to last year's ten percent reduction in the number of tours. This is in reaction to the previous reduction's

reported negative effect on the local economy. State Parks hopes that about 86,000 more people will be able to tour the castle as a result.

Campground Updates – State Parks is currently updating and renovating campgrounds at New Brighton and Refugio State Beaches. Both will be closed for a year while they are being renovated. Most of these campgrounds are decades old and in poor condition. Available bond funds will allow for the renovation to take place at this time. The project includes making 20 of the 80 campsites at Refugio State Beach accessible to persons with disabilities.

Camping Reservations – Reports from reservations service contractor Reserve America show that more than 36,000 people made reservations in February to camp at state parks in August. This represents a four percent increase over last February. The State Park System includes about 15,000 campsites, 10,000 of which are on the reservation system.

Acting Director Coleman concluded her report.

Chair Hart thanked Acting Director Coleman for her report.

RETIREMENT CERTIFICATES

Chair Hart announced that the next agenda item would be the Commission's recognition of retiring State Parks employees. Chair Hart asked Sierra District Superintendent John Knott to introduce this item. Superintendent Knott read the list of retirees.

Superintendent Knott thanked Chair Hart, and read the list of retirees:

| | |
|---------------------|-------------------|
| Dona Battin..... | 9 years 10 months |
| Lori Deacon | 25 years 6 months |
| Richard Hiatt | 42 years 8 months |
| William Payne | 29 years 2 months |
| John Ruddley | 30 years |
| Gregory Wells | 25 years 2 months |

Chair Hart thanked Superintendent Knott for his comments, and reiterated that each of these retirees should be recognized for their service to the State of California.

NOMINATION OF COMMISSION VICE CHAIR

Chair Hart introduced the next item of business, the election of a Commission Vice Chair. Chair Hart asked for nominations; Commissioner Witt nominated Commissioner Raquelle de la Rocha. Each of the commissioners present voted in favor of this nomination. Chair Hart announced that Commissioner de la Rocha would henceforth serve as the Commission Vice Chair.

APPROVAL OF MEMORIAL REDWOOD GROVES

Chair Hart asked Commissioner de la Rocha to read the Memorial Groves as requested by Save-the-Redwoods League. Vice Chair de la Rocha read a single grove request:

Marjorie Douglas Jefferson Grove in Gary Whale Ranch – Wilder Ranch State Park
Carole D. Ehrhardt, donor

Vice Chair de la Rocha made a motion that this grove request be approved by the Commission. The motion was seconded by Commissioner Witt. The commissioners voted unanimously to approve the resolution establishing this memorial redwood grove.

PUBLIC HEARING

Chair Hart opened the public portion of the meeting at 9:44 a.m.

Chair Hart stated that the Commission welcomes public input on issues that come before it. She then requested that those who wish to address the Commission please complete a speaker registration form. Chair Hart explained that the Commission's rules of order allow the Chair to limit speaking time to three minutes for individuals and five minutes for those representing groups. She further explained that while there was not a clock limiting speaker's time, in the interest of everyone's schedule it would be appreciated if speakers would limit their comments to the allotted time.

Determination of compatibility with unit classification and general plan requirements of Old Town San Diego State Historic Park with the Department's proposal to execute a new contract for the specialty concession located in the 2611 San Diego Avenue building (a.k.a. Dodson's Corner)

Deputy Director of Park Operations Bill Berry presented this agenda item. Deputy Director Berry explained that Dodson's Corner is one of 26 concessions at Old Town San Diego State Historic Park, and that it is one of the biggest generators of revenue in the state due to the high number of visitors it receives. State Parks is issuing a Request For Proposals (RFP) to solicit ideas for managing Dodson's Corner, and to obtain estimates as to what a concession in this location might earn.

Chair Hart thanked Deputy Director Berry and asked if there are any questions from the Commission on this item. There were none. Commissioner Cotchett posed a general concession question to Deputy Director Berry, asking if there was a specific timeframe within the Public Resources Code during which proposals could be submitted. Commissioner Cotchett shared his concern for the length of time that bidders had to respond, and he stated that a limited time effected the ability of new companies to participate. Deputy Berry explained that there were no such requirements in the Public Resources Code, but that State Parks typically utilized a 60-day time period. He added that this appeared to be adequate for the companies that had showed interest, and that no complaints had been received. Commissioner Cotchett then asked if the RFP for Dodson's Corner specified a minimum amount to be paid to the state or a suggested percentage. Deputy Director Berry replied that there was both a minimum amount and a percentage, but that while this amount was typically between seven and ten percent, he did not have the exact figures available. Commissioner Cotchett suggested that perhaps these percentages should be increased during the current difficult economic times. Deputy Director Berry replied that the percentages were based on local comparisons, and that the final bids were often higher than this because the process is so competitive.

Chair Hart asked if there were any further comments. There were none. Chair Hart asked for a motion to stating that the Commission determined that these new contract provisions are compatible with the unit classification and the general plan requirements for this unit. Motion Commissioner de la Rocha, second Commissioner Cotchett. The commissioners voted unanimously to approve the resolution stating that the Department's proposal to execute a new contract for the specialty concession located in the 2611 San Diego Avenue building was compatible with the unit classification and general plan requirements of Old Town San Diego State Historic Park.

Consideration and action on the Department's proposal to honor the late assemblyman and leading environmentalist Edwin L. Z'berg with the addition of his name to the name of Sugar Pine Point State Park.

Acting Director Ruth Coleman presented this agenda item. Acting Director Coleman stated that State Parks sought Commission approval for a proposal to add the name of the late Assemblyman Edwin L. Z'berg to the name of Sugar Pine Point State Park at Lake Tahoe. If the proposal were adopted,

the park's name would become Edwin L. Z'berg-Sugar Pine Point State Park. Acting Director Coleman stated that though it was rare for state parks to be named after individuals, several parks had been named for individuals and State Parks believed the legacy of Assemblyman Z'berg warranted this special consideration. Shortly after Assemblyman Z'berg's death in 1975, the state legislature made a similar proposal, but it was not adopted. Acting Director Coleman provided biographical information on Edwin Z'berg, emphasizing the more than 800 bills he authored during his 17-year career in the Legislature and the important environmental and preservation-related work he accomplished in the Lake Tahoe area.

Chair Hart thanked Acting Director Coleman and proceeded to call the registered speakers on this topic:

Bill Briner/Individual – My name is Bill Briner I'm a local resident. I'm also a past Director of the Department of Parks and Recreation. I worked with Assemblyman Z'berg for years and Chappie and also Kenny Hahn, so I understand the policies of the DPR and I'm worried about a new policy being established that would open the floodgates for naming of parks. Once you start the process it is very difficult to put a stopper on it. And let me say, when I was working with Z'berg, I was also instrumental here in the movement to stop the growth of all the condominiums, that were going on. And so, I was happy to see Z'berg introduce legislation before the Tahoe Regional Park Association (TRPA) introduced the Cal TRPA Legislation which formed the California Tahoe Regional Planning Agency. And thank goodness it is in place because it has helped preserve Lake Tahoe, and we all appreciate that. But, the policy when I was director was that we didn't name after people because what would happen is you've got 264, 272 state parks – it keeps growing. And so you could end up with 272 new parks with new names on them. And as you've noticed with the Memorial Groves and the redwood group, you contribute to them and they'll set aside ten acres, 20 acres, 100 acres, whatever that is and put your name on it and that is sufficient to recognize the people who want to help the redwoods organization. So, you have a preserve that you know about, I think you walked through it yesterday. And it's 120 acres give or take, on the lake between the highway and the lake. It is a beautiful preserve and it is named for Edwin Z'berg. And I think that if the Department uses that and puts up the appropriate signs on the bike trail, there's one sign in there now but I think it could be better. There could be more by upgrading, that I think you can honor Edwin Z'berg, which I think is appropriate but not by changing the name of Sugar Pine Point State Park. I think you ought to keep it in that preserve and I think it should be much better than it is being done now. That's my comment.

Chair Hart thanked Mr. Briner and commented that the community is probably thrilled to have him living in this area.

Suzanne Buswell/ Individual – Good morning. I'm Suzanne Buswell. I've lived in Tahoma right next door to Sugar Pine Point State Park for almost 16 years. Mr. Briner acknowledged that there is already a preserve, a pretty large preserve, named after Mr. Z'berg and there is actually two signs there. There is one beautiful carved sign right on the highway that you can see. And then there is also a placard farther down the path that has his picture and it tells all of his accomplishments and I think it is a really nice way to acknowledge him. The name of a state park, a national treasure, conveys a sense of history, time, and place. It's a common thread between our grandparents, grandchildren, and a sense of identity as an American, as a sense of permanence and community to local residents. The current proposal to change, to add Mr. Edwin Z'berg's name to Sugar Pine Point State Park detracts from this continuity and sense of identity. We acknowledge Mr. Z'berg's commendable accomplishments and environmental track record and we feel that this recognition has been made through the national preserve. The desire to make your mark is a very human one but we feel that this proposal is not the will of the people in California but political favoritism. Many men and women make contributions to the park both financially and through their own efforts without this type of recogni-

tion. We've also found it interesting that some of the rangers we've talked to were not aware of this proposed name change until the article came out in the Tahoe World two weeks ago. Our other consideration is the financial aspect of it. We've been told by Steve Capps through email that the cost of replacing signage, letterheads, mapping, and brochures is negligible. Define negligible to the park employee who was laid off or displaced as we heard earlier. In the time of record-setting budget deficits define negligible and the costs associated with the presentation of this bill before the legislature, the cost of putting these items on the agenda to the park users who are told we can't go on the ski trails this winter because the equipment is old, we don't have enough mechanics, we don't have anybody to drive the equipment. The name Sugar Pine Point State Park has stood since 1965 and as taxpayers and park users we object to the elite power brokers, our elected representatives who do not live in this area, attempting to impose their will on the many who do. Thank you.

David Antonucci/Individual – My name is David Antonucci and good morning and welcome to Lake Tahoe. I'm glad to see you here. I've been a 28 year resident of Lake Tahoe and I'm retired from local government, and the agency I work for, we managed about a half dozen state park properties during my tenure and still do. State Parks has been a very good friend of Lake Tahoe and in particular North Lake Tahoe because you have so many facilities here that have been so important to local residents in addition to the visitors who come here. I also served 11 years as a board member on the Tahoe Sierra State Park Foundation. Over the last two years I've been working with the staff at Sugar Pine Point State Park to reestablish and commemorate and interpret the cross country ski trails that were used during the 1960 Olympics. It is largely unknown that the 1960 Olympics, as far as all the cross country events, were held on land that is now Sugar Pine Point State Park and a lot of the trails and other artifacts are still there in the park and adjacent lands. I want to commend the state park staff here, they've persevered me in my quest to not forget the 1960 Olympics and the things that happened. And I think you have a very good staff here at Lake Tahoe. They have a very tough job and they deserve to be commended. I have been involved in Tahoe politics for quite a while and that includes the period in which Assemblymember Z'berg was active and I believe he was a very good role model for a lot of us who were aspiring environmentalists at the time. I was working in state government and the thing I remember most is that he withstood tremendous pressure from casino interests and the pro-development community on the California side to get a Tahoe Regional Planning Agency up and running. And for me, I observed that and understood for the first time the importance of strong character and integrity when it comes to issues like protecting our environment. I am also a neighbor of Sugar Pine Point State Park. I've lived near the park and used the park over 23 years. I think it does a disservice to Assemblymember Z'berg to try to attach his name to Sugar Pine Point State Park. The name Sugar Pine is just been embedded too long in the local vernacular, on maps, everything. And I don't think it serves Assemblymember Z'berg's memory well to try to force that name on what has historically been Sugar Pine Point State Park. What I would propose in lieu of that, because I think there are individuals in the history of the State of California, particularly in the environmental movement, that are worthy of recognition and should have their names attached to facilities of environmental significance and importance to the state. Simply because they serve as role models and it triggers the question, who is Edwin Z'berg? And then you learn and you understand and it's all part of interpreting the long and illustrious history of the State Park System and the battles that were fought and unfortunately some lost over getting state parklands. What I propose is that State Parks is in the planning stage for making improvements to what is loosely known as Burton Creek State Park, for want of a better name. I don't know if you covered it on your tour. But it's essentially the area north of this community. I'm not sure, it's a couple thousand acres, something like that. And it's largely undeveloped now but the staff is now working on a plan to construct trails and make other improvements to open it more to use of the public. So I would suggest that when the time comes to review the Burton Creek State Park plan that you consider renaming the park at that time, Edwin Z'berg-Lake Tahoe State Park. And then from that point forward it would be known by that

name. On the California side we don't have any of the state parks up here named Lake Tahoe State Park. There is one over in Nevada but we don't have any here in California. And I think that would be much more appropriate to honor Assemblymember Z'berg's memory, and I think it also gets around some of the local opposition to changing the name of Sugar Pine Point. I personally believe it will forever embed Assemblymember Z'berg's memory as we move forward, and as many visitors will eventually come to what I hope will be Edwin Z'berg-Lake Tahoe State Park. Thank you.

Chair Hart thanked Mr. Antonucci and asked if these were also his comments on Burton Creek. Mr. Antonucci responded that they were not; that he had additional comments and would return later.

Chair Hart thanked the speakers for their comments. She then announced that State Parks Sierra District Superintendent John Knott would like to comment on this topic.

Superintendent Knott provided an update for the Commission regarding what State Parks is currently doing to honor Mr. Z'berg. Superintendent Knott stated that signage had been added along the existing trail, and that other, similar signs are to be located at different spots near the existing preserve so that when visitors to the day-use area enter that location they will have a better opportunity to hear the story of Edwin L. Z'berg. State Parks will also provide biographical information to seasonal employees and staff working at the park so that they will be prepared to answer questions about the preserve and Mr. Z'berg.

Chair Hart thanked Superintendent Knott. Chair Hart stated that the Commissioners had received and reviewed several written comments on this subject. Chair Hart stated that each of these comments was a statement of opposition to the name proposal. Chair Hart then asked each of the Commissioners to comment on the proposal:

Commissioner Cotchett addressed Mr. Briner, clarifying for Mr. Briner and all of those present that State Parks was not proposing to change the name of the park, but that the proposal was to add Assemblyman Z'berg's name to the existing name of Sugar Pine Point State Park.

Commissioner Cotchett stated that he had personally known Ed Z'berg, and that he had been involved with the fight against the development of Lake Tahoe in 1970. He stated that he had witnessed Assemblyman Z'berg's resistance to the tremendous pressure that developers brought to bear in an effort to develop casinos on the shores of Lake Tahoe. Commissioner Cotchett stated that Ed Z'berg refused to accept developer's money or give in to their pressures. He stated that in founding the Tahoe Regional Planning Agency, Ed Z'berg literally stopped gambling interests from building sixteen-story highrises all around the lake. Commissioner Cotchett stated that in 1972 the Sierra Club named Ed Z'berg "Man of the Year" for his efforts and for his refusal to accept Nevada gambling money. He stated that Ed Z'berg was responsible for keeping Lake Tahoe from becoming the Atlantic City that the gambling interests wanted, and that there was no other person who had done as much for Lake Tahoe.

Commissioner Cotchett then asked Superintendent Knott about Mr. Briner's suggestion of naming another State Parks property in honor of Ed Z'berg.

Superintendent Knott replied that the project Mr. Briner was referring to was the property known as Burton Creek State Park. He explained that this was a 2,000 acre park for which a general plan was currently in development.

Commissioner Witt stated that he respectfully disagreed with Commissioner Cotchett. Commissioner Witt explained that his opposition to this proposal was not in conflict with the phenomenal credentials of a great environmentalist, Edwin Z'berg, but out of concern for the public perception of renaming parks after individuals. He added that State Parks are protected, that they have a history, and that park names should reflect that history. Commissioner Witt acknowledged that the precedent of naming parks after individuals, regardless of what the community might feel, is a dangerous one. He

stated that he believed the name should stand as it is, but with signage improved at the existing preserve so that Mr. Z'berg would be appropriately honored there.

Commissioner de la Rocha stated that she opposed the proposal to add Mr. Z'berg's name to the name of Sugar Pine Point. She stated that her position was not reflective in any way of Mr. Z'berg's extraordinary legacy, but rather that in her opinion the Commission should never name state parks after individuals. She explained that natural resources belong to all Californians and that natural resources, unlike, for example, buildings, should not be named or otherwise associated with individuals. She stated that more appropriate ways could be found to honor individuals and remember their legacies.

Chair Caryl Hart stated that she joined Commissioners de la Rocha and Witt in opposing the name proposal, and that she also wished to join them in recognizing the accomplishments of Edwin Z'berg. Chair Hart stated that admiration was not a strong enough word to describe her feelings about Assemblyman Z'berg and his accomplishments. She stated that she had studied the accomplishments of Assemblyman Z'berg, and that she had been overwhelmed by what he did and faced. Chair Hart stated that she spends a lot of time at Lake Tahoe, that she has a home there, and that Sugar Pine Point State Park is her favorite state park. She stated that she believed she understood the way Assemblyman Z'berg must have felt about the park. Chair Hart stated that the sugar pine trees were an important aspect of the park, and that the name stimulated discussion of resources. She stated that the name Sugar Pine Point had a long history, dating to 1870, longer than Lake Tahoe had born its name. She stated that the Commission's policy had been that a park unit should bare the name to which it has been accustomed do to location, association, history, natural features, or general usage, and that changing the name of classified unit is strongly discouraged. She also stated that Commission policy does allow for units to be named in honor of persons living or deceased, or for organizations or other entities which have rendered services of statewide significance to the State Park System. Chair Hart stated that the Z'berg Natural Preserve in Sugar Pine Point State Park was established after the Commission rejected the original naming proposal in 1976, and that the Preserve not only provided information on the accomplishments of Assemblyman Z'berg, it also included within its boundaries the most spectacular portions of the park. Chair Hart stated that she disagreed with the custom of naming parks for accomplished politicians, and that she therefore opposed the naming proposal in spite of her great admiration and respect for Assemblyman Z'berg.

Chair Hart then announced that she had received an additional speaker registration form from Matt Z'berg, grandson of Assemblymember Z'berg. Chair Hart asked Mr. Z'berg if he had been present for Mr. Cotchett's comments:

Matt Z'berg/Individual – No, I missed it. I traveled up here from Sacramento to support the Department's recommendation. Our family, and I'm sure my grandpa appreciates all the name recognition that has already been attributed in the park, like you mentioned the Edwin L. Z'berg Cedar Grove, and I guess they have a kiosk or something, "Lawmaker's Legacy at a Lake" that they are developing or they've already established. I came here to testify that I think it would be a great honor adding his name to the front of the park. So I heard that you mentioned that it was a rename, but it is actually just a name addition. So the Sugar Pine Point Park title wouldn't be lost, my grandfather's name would just be an addition. I also brought a letter of support. Do you mind if I hand this out? It's just a letter of support from the President Pro Tem (John Burton). Sorry I got here late. My comments will be brief, like I said it would be an unobtrusive and economical way to add his name to the park. And it would be greatly appreciated by our family, and he has a long history and legacy of environmental legislation. When I was a child our family really enjoyed going to Sugar Pine Point. It was one of his favorite places of refuge. We'd go up there every summer and even before I was born he was taking the rest of us, he had four children, he was taking the rest of his kids up there a couple

times a summer and he really enjoyed the park and the scenery and everything. It was one of his favorite places. So I just wanted to add my name to the record and my support of the Department's recommendation and wanted to give you the handout.

Both Chair Hart and Commissioner Cotchett thanked Mr. Z'berg for his comments.

Commissioner Cotchett stated that he wished to make some additional comments. Commissioner Cotchett stated that the only reason it's possible to take children to these Lake Tahoe parks today, the reason the lake shore isn't crowded with highrises built by Nevada gambling interests, is because of the efforts of Ed Z'berg. Commissioner Cotchett then addressed Matt Z'berg, stating that both he (Commissioner Cotchett) and President of the Senate John Burton had known Ed Z'berg, and that they both well knew and appreciated what Ed Z'berg had done for Lake Tahoe. Commissioner Cotchett thanked Matt Z'berg for clarifying that the name of Sugar Pine Point State Park was not being changed, but that Ed Z'berg's name was being added in recognition for what he had done. Commissioner Cotchett stated that many people in California felt strongly about this subject, and that while some local residents had spoken in opposition of the proposal, these were not people who were at Lake Tahoe in 1960 and knew what was happening there. Commissioner Cotchett stated that he was making an emotional outcry for recognition of Ed Z'berg, but that he recognized that the proposal would probably not be accepted. He stated that Matt Z'berg should be proud that a proposal had been made to recognize his grandfather in this way, and that he (Commissioner Cotchett) was proud that Matt Z'berg was in attendance today. Commissioner Cotchett stated that he had the highest regard for his fellow commissioners, and that he understood their points of view. He concluded by stating that if the proposal fails he would work to gain recognition for Ed Z'berg in another way.

Chair Hart asked Commissioner Cotchett if he would like to make a motion regarding the State Parks proposal to add Ed Z'berg's name to the name of Sugar Pine Point State Park. Commissioner Cotchett made such a motion, there was no second.

Commissioner de la Rocha, with input from Commissioner Shriver, made a motion that the Commission resolve to oppose the addition of Ed Z'berg's name to Sugar Pine Point State Park, clarifying that the reason for the majority of the Commission taking this position is the commissioner's opposition to the naming of any state park for a person, without regard to the possible substantial contributions of that individual. Motion Commissioner de la Rocha, Second Commissioner Witt.

Commissioner Cotchett voted "no" for this motion. Commissioners de la Rocha, Hart, Shriver, and Witt voted "aye." Motion passed.

Chair Hart announced that there were six speakers registered to speak on other topics, and she asked if these speakers would be able to remain until after the presentation on the Donner Memorial State Park General Plan. The speakers in the audience replied that they would be able to remain.

Consideration and action on the Department's recommendation for approval of the Preliminary General Plan and Draft Environmental Impact Report (EIR) for Donner Memorial State Park

Chair Hart introduced this agenda item by explaining that in addition to the materials the Commission received prior to the meeting and during the on-site briefing, they would now hear a presentation on the Donner Memorial State Park General Plan by State Parks General Planning Unit Manager Dave Keck. There were some technical difficulties with the presentation equipment, so Chair Hart asked if the single registered public speaker on this topic, Pat Davison, would like to make her comments before Mr. Keck's presentation. Ms. Davison agreed to make her comments at this time:

Pat Davison/California Association of Business, Property & Resource Owners – Good morning. My name is Pat Davison. Welcome to the Tahoe area. I'm a resident of Truckee and I'm here repre-

senting a local group, California Association of Business, Property & Resource Owners, and we've been supplying comments to State Parks since at least a couple of years ago. I have a written statement for you. I'm going to use that to some extent but primarily wanted this for the record. I wanted to recognize also, Gudrun Baxter out of the State Parks headquarters office for her help and answering questions as we were looking at the general plan and had need for some clarification.

You got some background yesterday on the proposed acquisitions and my comments were concerning the property owners that are around those proposed acquisitions and potential from some possible changes in the general plan. You may not be aware that use has had some commercial activity for the last hundred years. In the 1980s there was a large ski area proposed, 12,000 acres. It was going to be the largest ski resort in North America at that time. So there have been long-standing uses in the area and State Parks has now moved in next to all of those uses. So you'll hear a theme here that this is not a remote area, it is certainly not pristine and we would just like to see some recognition of its existing uses.

The first point, and this is on page two of the comments that I've given to you, is that perhaps there be some interim actions proposed for zone three which is the area of the new acquisitions. This is where potential conflicts may come up with visitors coming into an area. There is already one incidence of trespass. Illegal trails are being put in place and because zone three planning will probably not be done for a while, there may be a need for some interim action. The separate letter that I gave you, that is the one page signed by Mr. Hahn, is a request also for an easement to be voided on his property. So we've been working with the Department of General Services but that's an example of the kinds of things the interim actions that need to be done now in zone three. And so this is a request to you that some direction be given to staff that there be some attention or priority given to zone three for some interim actions. It could be things like fencing, signing, restorations, some additional patrols those sorts of things. The second item which I'd like you to consider for potential change in the plan is guidelines on the native species reintroduction and because we're talking about possible endangered species – they move, animals move, plants can spread – would there be some consideration given in the guidelines which are in the plan that impacts to adjacent non-park uses be included in that consideration. So I do offer that as a change. It would be an addition to the guidelines that are already in the plan.

And the third item is the most significant, and that's language concerning the creation of buffers on adjacent private land. And the guidelines in the plan say buffers can be created in two ways. Either through cooperative agreement with the adjacent property owner or through purchase. And we described some of our concerns. We think buffers within the park are an excellent idea. That's how federal lands are managed. Wilderness areas generally include the buffers within their boundaries. But if the park is going to be pursuing buffers on adjacent private land outside the park boundary, we had five suggestions and those again would be additional guidelines to add into the plan, and we're requesting your support for that. So the first guideline, you will not seek buffers unless there is no in-park alternative. Any cooperative agreement with the neighboring property owner can be changed or rescinded at any time. The third item, State Parks recognizes that buffers secured on one parcel do not apply to other adjacent parcels. State Parks will not seek to create buffers on neighboring private land through zoning changes or land use designations. This would also deal with scenic guidelines as well as noise standards. And last is State Parks would not use condemnation to create buffers. We offer these as proactive ways to try and ensure balances, that park goals are being met as you go through implementation. We are not opposing adoption of the plan. These are things that we'd like to offer to improve the plan and protect the property owners' interest. I have photographs I've brought. I think the main thing that I'd like to leave you with today is you're moving into an area where you've got people with residential development potential. Those houses haven't gone up. They will go up. You've got people that use motorcycles and snowmobiles in the area. They go right through

Coldstream Canyon. Sierra Pacific Industries, commercial logging operations, will go right through Coldstream Canyon. So you've got all of those things going on and we'd just like to see some recognition of that and possible inclusion of additional consideration in the plan. Thank you very much.

Chair Hart thanked Ms. Davison for her comments and introduced the presentation of the plan by General Planning Unit Manager Dave Keck:

Mr. Keck presented an outline of the history, features, and resources of Donner Memorial State park, as well as the proposals of the General Plan. Mr. Keck explained that the General Plan would help guide the long-term management, development, and use of the park. The presentation also included information on the proposed new visitors center, adjacent land uses, areas of cultural sensitivity, opportunities for the interpretation of cultural and natural resources in the area, and goals and guidelines for the use of recreational resources.

Chair Hart thanked Mr. Keck. Chair Hart then addressed a letter from Mr. Walter Harvey, expressing his concern related to the use of roads in Coldstream Canyon by adjacent private property owners. Deputy Director of Operations Bill Berry addressed the chair, stating that he wished to add to the General Plan presentation, and in that way respond to the concerns in Mr. Harvey's letter.

Deputy Director Berry stated that State Parks relationships with neighbors were very important, not only at Donner Memorial State Park but with all state parks and all general plans. Deputy Director Berry explained that specific language had been included in the Donner Memorial State Park General Plan to address issues related to the park's neighbors. He further explained that the Donner Memorial State Park General Plan dealt with this issue in two ways, the first being State Parks established policy regarding buffer lands. That policy is that if the need for buffers arises, if the lands are available for purchase from willing sellers, and if funds are available for purchase, State Parks will acquire property from willing sellers, paying fair market value. Deputy Director Berry stated that the implementation of this policy could be seen throughout the planning process. Secondly, State Parks enters into cooperative agreements with neighbors. These agreements require the consensus of all parties, and the agreements made provide liberal out-clauses allowing parties to separate from the agreement at any time. The agreements do not represent a legal obligation, but rather neighbors agreeing on a specific issue. These agreements are in writing to protect neighboring property owners' rights. The agreements enhance property values, both for the neighbors and for State Parks. Deputy Director Berry concluded by saying that these policies were reflected in the language of the Donner Memorial State Park General Plan.

Chair Hart thanked Deputy Director Berry for this clarification.

Commissioner de la Rocha asked if the proposals brought forth by Pat Davison had been discussed during the general planning process. Deputy Director Berry responded that proposals like the ones suggested by Ms. Davison had been discussed, and that the plan language related to the purchase of land from willing sellers, along with cooperative agreements, adequately addressed these concerns.

Commissioner de la Rocha asked if Ms. Davison's proposals raised any new issues that were not considered during the development of the general plan.

Chair Hart and General Planning Unit Manager Dave Keck answered that none of the issues were new, and that three of the five issues had been discussed directly with Ms. Davison.

Commissioner De La Rocha asked if State Parks had a general policy toward cooperative agreements in terms as to how they may be altered or rescinded. Deputy Director Berry responded that there was not such policy.

Chair Hart asked the commissioners if they had any additional comments or questions. There were none. Chair Hart then asked Pat Davison if she would like to make any additional comments:

Pat Davison/California Association of Business, Property & Resource Owners – I guess what I'd like to offer to you is the saying, it's not what's in the plan, it's what's not in the plan. And the questions that came up and the (inaudible)...talked about this is these were questions that I heard from property owners. What does the plan say about condemnation? There's nothing in the plan. So that's why we requested some language. What does the plan say about buffers on one parcel affecting another parcel? Nothing is in the plan. So these are requests for additional language to clarify what can or can't happen in addition to what already is stated. And if there is a policy on agreements the property owners need to know that. I guess one of the things I come back to are the purpose of a plan is disclosure. You're asking all of us to comment on whether this is feasible as planned, does it serve the purposes of public as well as the other interests involved. And in order for us to be able to answer that adequately, we need to know what the plan includes. So if there are other policies or sections that are not included, what we're asking for is a little bit more information, and this being a unique area, I think we've got some unique circumstances. This was a comment that I heard from a lot of property owners, if State Parks is saying they're not going to request zoning changes, they're not going to request condemnation, then we'd like to see that in the plan. Just to have it out there as a known criteria or factor from State Parks' position. Thank you.

Chair Hart thanked Ms. Davison and asked Deputy Director Bill Berry to respond:

Deputy Director Berry stated that while State Parks and the State of California had not been involved in condemnation, they had a lawful right to practice condemnation. State Parks can therefore not incorporate language into a plan that contradicts the law. Alternatively, State Parks endeavors to be a good neighbor by not practicing condemnation. State and State Parks policy is that condemnation is not practiced, though circumstances could come up that required condemnation. State law maintains that condemnation may be practiced if necessary, though it is the policy of State Parks and the current administration that this is not done. The general planning document reflects this to the best of State Parks ability.

Chair Hart thanked Deputy Director Berry and asked if there were any further comments from the commissioners or members of the public. As there were none, Chair Hart asked for a motion with regard to the General Plan and Draft Environmental Impact Report for Donner Memorial State Park.

Commissioner Witt made a motion that the Commission adopt the resolution to approve the Preliminary General Plan and Draft Environmental Impact Report for Donner Memorial State Park. Second Commissioner de la Rocha. The commissioners voted unanimously to adopt the resolution to approve the Preliminary General Plan and Draft Environmental Impact Report for Donner Memorial State Park.

OPEN PUBLIC COMMENT (on subjects other than those listed on the Agenda)

Chair Hart announced that the next agenda item was open public comment on items other than those on the agenda. Chair Hart called registered speakers for open public comment:

David Antonucci/Individual – Thank you again for taking the time to hear me. I'd like to speak on the land that I referred to earlier as Burton Creek State Park. I'm not even sure it's a state park. Apparently you may or not be aware that there is planning underway now to bring that park into more use by the broader public, and just as an observer here there were other, a number of hearings within the last year that your staff had held about the Burton Creek State Park plan and it was met with vehement opposition by a small group of adjacent homeowners that basically don't want anything to happen there. And I'm sure you're aware that this happens practically anywhere you go in the state now, and that the larger group that would like to see the park made more accessible to the public who pays the bills never gets heard. And I think that is one of the reasons the State Park Commission ex-

ists is that you are charged with bringing the larger public interest into these issues and so what's happened. Your staff, I think, has had excellent intentions and they are very well qualified and I thought they had some very good ideas about opening the park; providing group camping, we're under served here in the Tahoe Basin with camping facilities. That's in the TRPA Regional Plan but we need more of that so that public outdoor recreation, dispersed recreation can be better accommodated here rather than the highly concentrated forms that we see, in the way that Tahoe has developed over the last four years or so. So the reason I am standing here is just to call your attention to it. I'm not sure what you should do right now about it but I for one will say that I am concerned that your good and diligent staff has just been beaten down by a small number of extreme individuals who simply refuse to share and refuse to be governed. And they want this as their own little local thing and while there will be some improvements, I don't think they're the kind of improvements that serve the public interest, and I think the net property will require the intentions for a much more extensive opening of the property for camping, a new headquarters facility. I'm a cross country skier also and there is a cross country area that is on part of that land, and the lodge itself is in a very bad location because it melts out very early in the year. But under the original concept, that lodge would have been moved out of the subdivision that it is in now and would have been moved up to higher ground where the skiing season could have been extended. And again this is a public ski area that is operating in partnership with State Parks and California Coastal Conservancy. So just let me conclude by saying that I for one am very concerned that the planning seems to be going in a direction of exclusivity rather than inclusiveness. I just simply want to make you aware of it. If there's anything you can do to maybe intervene and take a look at it now before it goes too far ahead it might be worth your time. I urge you to at least consider it and see what, if anything, you can do. And I'll answer any questions.

Chair Hart thanked Mr. Antonucci and asked if there any questions from the Commissioners. There were none. Chair Hart stated that the Commissioners are interested in what occurs in the general planning process before the plans come to the Commission. She also recommended to the commissioners interested in the Burton Creek general plan that they follow-up with State Parks staff.

Bob Lourey/Tahoe City Public Utility District – Good morning. I'm Bob Lourey, General Manager of the Tahoe City Public Utility District. On behalf of the District we wanted to welcome you to the area and to our facility. We're glad to have you here. As pointed out to most of you yesterday that visited on site, over at the Gatekeeper's property this is an unincorporated area. And as unincorporated areas with many issues it's very difficult to accomplish or achieve things without partnerships, and I simply wanted to point out to you the strong partnership/relationship that we have with State Parks and with your staff up here under Superintendent John Knott's direction, and I wanted to commend John and his staff. You have a group of doers here. These are not bureaucrats. And I'm proud of our partnerships. We're doing great things and I look forward to doing even more projects and activities in the future with State Parks.

Chair Hart thanked Mr. Lourey and recognized Tahoe City Public Utility District for the tremendous efforts that were made on the Gatekeeper's project, for the enjoyment of everyone.

Cindy Gustafson/Tahoe City Public Utility District– Thank you. Welcome. I wanted to echo Bob's comments and also kind of reiterate for the public record what we said yesterday, specifically about this outlet parcel project that's exhibited around the room on a few exhibits. John Knott didn't pay me to say this, I promise you that. But John has been just an incredible resource to us. And he shares the passion we have for living in a small community and yet serving tremendous numbers, millions of visitors from around the state and the nation. And as a small agency, we serve about 6,000 local residents yet we have these millions of visitors who we are dedicated to serving well. And we were a little intimidated by the U.S. Bureau of Reclamation when they told us no on the project. And as I mentioned yesterday and again for the public record, we told John, no. There is no

point in re-asking. And John said I don't think so. He said I think we should go back and we should ask. And as a small local agency, you know, we thought our odds were pretty slim, but with John's help we crafted a letter to the Department U.S. Bureau of Reclamation, and they said sure, we'll consider this. And to have sat down with us for meetings every two weeks for about two years now, and we're about to see that project come to fruition. So we are just so pleased and we can't say enough about the partnership we've had with your State Parks unit, all of the guys in the back of row, in the room back there who have done so many great things for this local community, so thank you.

Chair Hart thanked Ms. Gustafson for her comments and for the use of the meeting facility.

Heath Wakelee/Sierra Foothills Audubon Society – Hello. My name is Heath Wakelee, and welcome to Placer County. I am also a resident of Placer County, City of Granite Bay, which is a suburb of Sacramento. I am here for a lot of reasons. I am a member of the Sierra Foothills Audubon Society and I would hope that in the maintenance of the building that special attention might be paid to the birds in this room. And we might get a broken wing fixed. *A member of the audience pointed out that Mr. Wakelee was referring to the eagle figure at the top of one of the flagpoles in the room.* We need to take care of our birds wherever we see them. I think this one is okay, but if we could take care of that bird, it would be great. I'm also the Placer County Bluebird Coordinator and I am part of the Stakeholders Group that is working with the Off Highway Vehicle (OHV) division, and specifically I'm concerned about noise. So what I want to do is just update you about what is going on concerning noise in the state of off-highway vehicles and also watercraft. Notice water in every one of the pictures in this room. When I talk about an OHV, off-highway vehicle, it's a motorcycle, four wheel drive vehicle, or ATV, all-terrain vehicle. That also includes snowmobiles, and then in addition to that I would talk about watercraft. For OHVs, AB2274 was recently passed and came into effect on January the 1st. It almost halved the amount of allowable noise that may be omitted from an off-highway vehicle. Education of the riding public and users has taken place in the form of approximately 200,000-250,000 cards distributed via state agencies, via law enforcement, and user groups. A CD has been prepared by the state which gives examples of various noise levels, from, I want to say, room noise levels to extremely loud noise levels. There is a noise study that will be conducted by the State of California over the next 18 months as part of AB2274 that will look at how noise levels might be lowered further in the state, or at least how we might quantify and being no more noisy than what is the minimum allowed by the federal government. I know that's complicated but we are looking further into noise this year. We're also having a meeting with the aftermarket manufacturers about exhaust and emission systems to work more closely with them to see that more product is available to the users. The quiet movement in California is being endorsed by the Motorcycle Industry Council, by CORVA which is the California Off Road Vehicle Association, by the Blue Ribbon Coalition, and also the American Motorcyclist Association has recently adopted what the State of California has adopted for their amateur races. That's 96 decibels using the A-scale. With regards to snowmobiles, the study that I mentioned will be conducted over the next 18 months. It includes work on noise from snowmobiles. I suspect that we will not be able to finish that study in 18 months. We will more likely adopt what's being legislated in Wisconsin and continue to work on that subject. With regards to watercraft, there is a current bill that is working its way through. It's Assembly Bill 1555. The current method for testing noise of watercraft is to have it drive by at full throttle at a fixed distance from someone with a noise meter. And that's not safe and it's not being conducted because it is not safe. AB1555 would establish two noise standards that were developed by the Society of Automotive Engineers, SAE, particularly SAE J12, SAE J2005, would allow an idle test so an enforcement officer could pull somebody over and test the boat when it is in an idle position. SAE J1970 is a shoreline test method, which means an enforcement officer could stand at the shoreline and determine whether or not excessive noise is occurring on a vehicle or a watercraft. In conclusion, California is getting quieter and it is through the combined, especially combined efforts of law en-

forcement, that this is taking place. So I'd like to again thank the law enforcement officers through the U.S. Forest Service, California State Parks, and Bureau of Land Management for their enforcement efforts. Thank you.

Deputy Director of Operations Bill Berry addressed the Chair, asking if he could speak regarding the noise issue. Chair Hart recognized Deputy Director Berry:

Deputy Director Berry stated that State Parks had recently completed training for the conducting of noise level testing in the field by law enforcement officers of the Off-Highway Vehicle Division. New noise level testing devices have been distributed in compliance with the new law. Deputy Director Berry also explained that State Parks had been conducting noise level testing of vessels on lakes for the past 20 years, and non-compliant users either receive citations or are asked to leave the lake. Deputy Director Berry stated that State Parks applauds the recent efforts to control noise.

Chair Hart commented that she believed State Parks efforts to control noise were most welcome.

Ron Treabess/Tahoe City Public Utility District Board, Sierra State Park Foundation Board –

You guys are good, and I appreciate very much that you came up here. Initially I am going to speak here as a Board of Director member of the Tahoe City Public Utility District. And we very much appreciate having you come up here, and hope that we have both been able to increase your knowledge of what goes on here in order for you to remember us better when you do hear of projects up here and we know that you're being here is going to enhance our opportunity to have things happen here more easily by knowing that we have your support. We can spread that. Secondly, taking the chance of adding a little more of the gooey substance that is starting to go over John's (Superintendent John Knott) shoes out here. I do want to, from a Board stand point, further enhance the comments that both Bob and Cindy made about the relationship of John and all of the staff with the community of North Lake Tahoe, and how in an area where we have such an important influence that we need to make on the people of California and the visitors that all do come here. It is very important for us to all work together in making it appear that it is one experience that we are creating. And I think that most of the visitors that come up here, whether they go into the very well known state parks or into the other recreational and environmental opportunities, do feel that it is an entwined community presenting these opportunities. My third thing is speaking as a board member of the Sierra State Park Foundation, and as I hope you're aware, this is a small well-intentioned group that does raise funds and figure out ways to get additional monies to provide for opportunities within the parks to create projects that parks don't have all funding for, in order to further again enhance the experiences of the statewide visitors that come to our state parks. And it is most appropriate at this point of our budgeting cycles and concerns that I'd like you to be aware that we are now moving from a group of volunteers who are supported by already overworked staff as our staff, being the State Park staff, next we're going to be interviewing for a full time managing director position to where the State Park Foundation will have a person on-board that will ease the staff requirements of John and his staff and also create much bigger opportunities for raising funds to a whole variety of projects and consequently then be able to get involved with bigger projects. We have the Donner Lake Museum or the restoration at Bodie or many of the other projects that we have not been able to raise enough money for. So we're looking forward to having a full-time employee that will then create a bigger amount of funds for providing some of these projects that are not otherwise provided. My fourth thing that I wanted to mention to you in the comments that I was making earlier (inaudible)...how well spoken I think you are and even when you disagree on a topic, I think any one of your comments could lead to an audience to support what you're saying and what way we should do. It reminded me of a story of many long years ago that I was involved in back in the late '60s and the beginning of the '70s, when I was fortunate enough to be preparing the plans and documents for the Golden Gate National Recreation Area which Phil Burton got the legislation passed and established a wonderful area within the

Bay Area. And then a few years later when Phil died, we were going to go ahead and name a part of that park, the Chrissy Field area, actually in honor of Phil Burton. It was John who said no. John said no, that wouldn't be what he'd want to do. Let's figure out some better way to do this and he came up with quite a substantial monument, in fact it was a statute of Phil in Fort Mason that overlooks the Golden Gate and the various lands, and even that he thought was making Phil a little too big for the park. But I think it is a very good commemorative of the state and toward Phil Burton and what he did for us. Lastly, we appreciate you seeing that, but I want you to know that the utility district and our concern for the natural environment did find an injured species out here in the woods with a broken wing and we knew that the wing would not grow back so we brought it into a spot where it would have a safer and long life. Thank you very much.

Chair Hart thanked Mr. Treabess for his comments and his contributions to the Foundation Board.

ADJOURNMENT

There being no other agenda items, Chair Hart asked for a motion to adjourn. Motion Commissioner de la Rocha, second Commissioner Witt. Chair Hart adjourned the meeting at 11:26 a.m.

Respectfully submitted,
Ruth Coleman, Secretary